

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

☐ Eastern (Jackson) DIVISION
☐ Western (Memphis) DIVISION

RECEIVED

APR 30 2019

Plaintiff,
GAIL THOMAS

vs.

Defendant.

MID SOUTH COMMUNICATION FOUNDATION

CLERK, U.S. DIST. COURT
WESTERN DIST. OF TENN

No. _____

COMPLAINT

1. This action is brought for discrimination in employment pursuant to (check only those that apply):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

NOTE: In order to bring a suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission. 42 USC sec. 1981



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 – 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 92-592, the Civil Rights Act of 1991, Pub. L. No. 102 -166)

NOTE: In order to bring a suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 – 12117 (amended by the ADA Amendments Acts of 2008, Pub. L. No. 110-325 and the Civil Rights Act of 1991, Pub. L. No. 1102-166).

NOTE: In order to bring a suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

JURISDICTION

2. Jurisdiction is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub. L. No. 102-166, and any related claims under Tennessee law.

PARTIES

3. Plaintiff resides at:

712 SO. 12TH STREET WEST MEMPHIS, ARK. 72301
STREET ADDRESS

CRITTENDEN, ARK., 72301, 901-270-9725
County State Zip Code Telephone Number

4. Defendant(s) resides at, or its business is located at:

7151 CHERRY FARMS ROAD
STREET ADDRESS

SHELBY, CORNOVA, TN, 38016
County City State Zip Code

NOTE: If more than one defendant, you must list the names, address of each additional defendant.

5. The address at which I sought employment or was employed by the defendant(s) is:

7151 CHERRY FARMS ROAD CORNOVA, TN. 38016

STREET ADDRESS

SHELBY, CORNOVA, TN, 38016
County City State Zip Code

6. The discriminatory conduct of which I complain in this action includes (*check only those that apply*)

☐

Failure to hire

☐

Termination of my employment

☒

Failure to promote

☐

Failure to accommodate my disability

☐

Unequal terms and conditions of my employment

☐

Retaliation

☐

Other acts(*specify*): STRIPPED OF SUPERVISORY DUTIES

NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

7. It is my best recollection that the alleged discriminatory acts occurred on:

Date(s) 6/29/18; 10/2/18; 10/22/18; 12/10/18

8. I believe that the defendant(s) (*check one*):

☒

is still committing these acts against me.

☐

is not still committing these acts against me.

9. Defendant(s) discriminated against me based on my:
(*check only those that apply and state the basis for the discrimination. For example, if religious discrimination is alleged, state your religion. If racial discrimination is alleged, state your race, etc.*)

☒ Race _____

☐ Color _____

☒ Gender/Sex _____

☐ Religion _____

☐ National Origin _____

☐ Disability _____

☐ Age. If age is checked, answer the following:
I was born in _____. At the time(s) defendant(s) discriminated
against me.

I was [] more [] less than 40 years old. (check one)

NOTE: Only those grounds raised in the charge filed the Equal Employment Opportunity Commission can be considered by the federal district court.

10. The facts of my case are as follows:

SEE ATTACH SHEET

(Attach additional sheets as necessary)

NOTE: As additional support for your claim, you may attach to this complaint a copy of the

charge filed with the Equal Employment Opportunity Commission or the Tennessee Human Rights Commission.

11. It is my best recollection that I filed a charge with the Tennessee Human Rights Commission regarding defendant's alleged discriminatory conduct on: 12-18-18
12. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on: 12-18-18
Date

Only litigants alleging age discrimination must answer Question #13.

13. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct. *(check one):*

- ☐ 60 days or more have elapsed
- ☐ Less than 60 days have elapsed.

14. The Equal Employment Opportunity Commission *(check one):*

- ☐ has not issued a Right to Sue Letter.
- ☒ has issued a Right to Sue letter, which I received on 2-1-19.
Date

NOTE: *This is the date you received the Right to Sue letter, not the date the Equal Employment Opportunity Commission issued the Right to Sue letter.*

15. Attach a copy of the Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.

NOTE: *You must attach a copy of the right to sue letter from the Equal Employment Opportunity Commission.*

16. I would like to have my case tried by a jury:

- ☒ Yes
- ☐ No

WHEREFORE, plaintiff prays that the Court grant the following relief:

- ☐ direct that the Defendant employ Plaintiff, or
- ☐ direct that Defendant re-employ Plaintiff, or
- ☐ direct that Defendant promote Plaintiff, or
- ☐ order other equitable or injunctive relief as follows: _____

☒ direct that Defendant pay Plaintiff back pay in the amount of _____ and interest on back pay;

☒ direct that Defendant pay Plaintiff compensatory damages: Specify the amount and basis for compensatory damages: _____


SIGNATURE OF PLAINTIFF

Date: 5-29-19

712 SO. 12th STREET
Address

West Memphis, Ark 72301

901-270-9725
Phone Number

While being the only African-American female supervisor of Master Control. I had earned the respect of the men who work under me. I have trained multiple people both male and female; both black and white with most of them being white males. Over the course of the last few years, I have had several white males that I have trained be moved to different departments. Once, I began to inquire about several positions in the Traffic department that had openings, some of the positions were posted and some that were not. I was encouraged not to apply by the department head on 3 separate times.

Since, my current supervisor took charge of Master Control; he has stripped some of my supervisor duties away from me. When I have asked my supervisor technical questions. He would not respond to my questions; he would go to another white male in my department whom I trained: afterwards, he would set policy based on my trainee's response without discussing the matter with me. There is one specific white male that my supervisor will go to for information. This person has begun to show disregards and disrespect for the things I ask him to do as it pertains to his job; he also refuses to share any information that he may receive from my supervisor as it pertains to work.

I have been employed with WKNO for 35 years and a supervisor for 25 years. Prior to my current supervisor, I have not had any complaints put into my work file. Since, my current supervisor I now have two.